

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.)
)
CHAO FAN XU, et al.,)
)
Defendants.)
)
_____)

2:02-CR-00674-PMP-LRL

ORDER

Before the Court for consideration is the Report and Recommendation (Doc. #403) entered January 23, 2008, by the Honorable Lawrence R. Leavitt, United States Magistrate Judge, recommending denial of Defendant Chao Fan Xu's Motion to Dismiss Pursuant to the Court's Supervisory Power (Doc. #317) and Motion to Suppress Pursuant to the Court's Supervisory Power (Doc. #318).

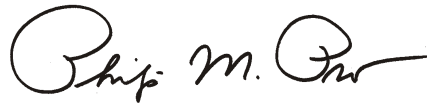
The Court has conducted a de novo review of the record in this case in accordance with 28 U.S.C. § 636(b)(1)(B) and Local Rule IB 3-2 and determines that Magistrate Judge Leavitt's Report of Findings and Recommendation (Doc. #403) should be Affirmed.

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1 **IT IS ORDERED** that Magistrate Judge Lawrence R. Leavitt's, Report and
2 Recommendation (Doc. #403) entered January 23, 2008, is hereby **AFFIRMED**.

3 **IT IS FURTHER ORDERED** that Defendant Chao Fan Xu's Motion to
4 Dismiss Pursuant to the Court's Supervisory Power (Doc. #317) and Motion to Suppress
5 Pursuant to the Court's Supervisory Power (Doc. #318) are **DENIED**.

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7 DATED: April 10, 2008.

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10 PHILIP M. PRO
United States District Judge
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